

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 30TH OCTOBER 2007 / 8TH KARTHIKA 1929

Bail Appl..No. 6305 of 2007()

CC.722/2005 of C.J.M.,THODUPUZHA
CRIME NO.77/04 OF THODUPUZHA POLICE STATION
.....

PETITIONERS

JOSEPH GEORGE, S/O.GEORGE,
AGED 30 YEARS, FLAT-A, RIVER DALE APARTMENTS,
NO.23, 20TH STREET EXTN., PERIYAR NAGAR,
KORATTUR, CHENNAI-80, TAMILNADU.

BY ADV. SRI.VINUCHAND

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
DEPUTY SUPERINTENDENT OF POLICE, THODUPUZHA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD
ON 30/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

ORDER

THE LEARNED COUNSEL FOR THE PETITIONER SUBMITS THAT NO FURTHER DIRECTIONS ARE NECESSARY IN THIS ANTICIPATORY BAIL APPLICATION. THE PETITIONER HAD COMPLIED WITH THE INTERIM DIRECTION DATED 17/10/07 AND THE PETITIONER DOES NOT NOW APPREHEND ARREST. THIS BAIL APPLICATION IS, IN THESE CIRCUMSTANCES, DISMISSED AS NOT PRESSED AS REQUESTED BY THE LEARNED COUNSEL FOR THE PETITIONER.

30/10/07

SD/- R. BASANT, JUDGE.

//TRUE COPY//

P.S. TO JUDGE

R. BASANT, J.

B.A.No. 6305 of 2007

Dated this the 17th day of October, 2007

ORDER

The apprehension of the petitioner is that he may be arrayed as an accused in a crime registered under Section 420 I.P.C. and arrested. The final report has already been filed. Further investigation under Section 173(8) Cr.P.C. is going on. It is now that the petitioner apprehends that he may be arrested.

2. The learned Prosecutor submits that decision to array the petitioner has not been taken. The petitioner is making himself scarce and is not available for interrogation. Notices under Section 160 Cr.P.C. were issued. But he is not co-operating. He has to be questioned to ascertain his culpable involvement. Decision on arrest of the petitioner shall be taken only after interrogation of the petitioner. In these circumstances the learned Prosecutor submits that the petitioner may not be granted anticipatory bail.

3. The learned counsel for the petitioner submits that the petitioner is willing to appear before the Investigating Officer at any time and place as this Court may direct. I am in these circumstances

satisfied that interim directions can be issued in the matter and the case can be posted to a later date to ascertain what transpires on such interrogation.

3. The following directions are hence issued.

The petitioner shall make himself available for interrogation before the Dy.S.P., Thodupuzha at his office between 10 a.m. and 5 p.m. on 22.10.07 and 23.10.07. The police shall be at liberty during this period to question the petitioner. If he were arrested after such interrogation, he shall be released on his executing a bond for Rs.50,000/- without any surety. In the event of such arrest and release the petitioner shall appear personally before this Court on the next date of posting.

4. Call on 30.10.2007.

(R. BASANT)
Judge

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